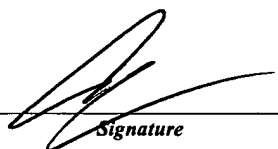


JFW/

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) (Large Entity)				Docket No. LEE.009	
In Re Application Of: Fuja Shone					
Application No. 10/809,891	Filing Date 03/26/2004	Examiner Richard A. Booth	Customer No. 20987	Group Art Unit 2812	Confirmation No. 7786
Invention: ONO FORMATION METHOD					
 COMMISSIONER FOR PATENTS: 					
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of <u>12/10/04</u> above-identified application. <div style="text-align: center;"><small>Date</small></div>					
The requested extension is as follows (check time period desired): <div style="display: flex; justify-content: space-between; align-items: flex-start;"><div><input checked="" type="checkbox"/> One month</div><div><input type="checkbox"/> Two months</div><div><input type="checkbox"/> Three months</div><div><input type="checkbox"/> Four months</div><div><input type="checkbox"/> Five months</div></div> <div style="display: flex; justify-content: space-between; align-items: flex-start; margin-top: 5px;"><div>from: <u>01/10/05</u> <div style="text-align: center;"><small>Date</small></div></div><div>until: <u>02/10/05</u> <div style="text-align: center;"><small>Date</small></div></div></div>					
The fee for the extension of time is \$120 and is to be paid as follows: <div style="margin-top: 5px;"><input checked="" type="checkbox"/> A check in the amount of the fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 50-0238 <input checked="" type="checkbox"/> If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 50-0238 <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</div> <div style="margin-top: 10px;">WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</div>					
<div style="text-align: center;"> <small>Signature</small></div> <div>ADAM C. VOLENTINE REG. NO. 33289</div> <div style="margin-top: 10px;">VOLENTINE FRANCOS & WHITT, PLLC ONE FREEDOM SQUARE 11951 FREEDOM DRIVE, SUITE 1260 RESTON VA 20190 TEL. (571) 283-0720</div>			<div style="text-align: right;">Dated: _____</div> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"><div style="text-align: center;">I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ <div style="text-align: center;"><small>(Date)</small></div></div><div style="border-top: 1px solid black; padding-top: 5px; text-align: center;"><small>Signature of Person Mailing Correspondence</small></div><div style="border-top: 1px solid black; padding-top: 5px; text-align: center;"><small>Typed or Printed Name of Person Mailing Correspondence</small></div></div>		

02/14/2005 MBELETE1 00000111 10809891

01 FC:1251 120.00 OP

cc:



Serial No. 10/809,891
LEE.009
Response filed February 10, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of

Mail Stop Amendment

Fuja Shone

Group Art Unit: 2812

Application No. 10/809,891

Examiner: Richard A. Booth

Filed March 26, 2004

Title: ONO FORMATION METHOD

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

U.S. Patent and Trademark Office
Customer Service Window, Mail Stop Amendment
Randolph Building
401 Dulany Street
Alexandria VA 22314

Sir:

In response to the Office Action of December 10, 2004, Applicant elects the first embodiment (Figs. 3(a)-3(b)). Claims 1-5 read on the elected first embodiment, and claim 1 is generic to the elected first embodiment and the non-elected third embodiment (Figs. 5(a)-5(b)). The election is with partial traverse.

The first and third embodiments (Figs. 3 and 5, respectively) are both directed to a process in which a silicon-rich nitride layer is formed on a bottom oxide layer and is oxidized to form at least a portion of a top oxide layer of an ONO structure. The third embodiment differs from the first in that the third embodiment additionally includes deposition of an oxide layer on the silicon-rich layer prior to oxidation of the silicon-rich layer (see dependent claim 6). The first and third embodiments are not directed to mutually exclusive processes, and accordingly, these embodiments are not properly characterized as distinct species.

Applicants thus respectfully contend that the first and third embodiment constitute a single species, and that claims 1-10 read on this species of the invention.

Respectfully submitted,

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February 10, 2005

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